

REMARKS

As has been noted during prosecution of the parent application, applicant's invention provides apparatus, method and media for generating apparatus-specific levels of protection against reproduction or decoding of data. By the present amendment, applicant further emphasizes yet another feature of the invention.

The Invention

More specifically, as amended herein, the remaining claims recite that the medium conveying the main data to be decoded or reproduced (and also conveying medium protection data) ***also conveys position information***, which is used to specify a position within the main data in the medium at which to apply the protection, and that the reproduction of the main data is implemented according to the protection level ***and according to the position information***.

It is respectfully submitted that the protection position information feature provides advantages to the present invention, and moreover adds yet another clear distinction between the invention and the art previously applied during prosecution of the parent application.

The feature is clearly supported by the original specification, as may be seen, for example, upon reference to the portion of the specification at page 12, lines 17 to 19, page 13 lines 11 to 16, page 18 lines 4 to 13, and elsewhere throughout the specification. As also disclosed, this feature permits assigning various protection levels to the data on the medium on a frame by frame basis, by groups of frames, by scenes, or the like.

Details of the data structure and the operation and use of the protection position information are provided for example at pages 33 to 36, with reference to Figs. 8 and 9. As shown therein, as one result of this feature, the invention makes possible a time-axis varying protection level (e.g., by groups of frames or scenes), a spatial domain level of protection (e.g., at specific portions of individual frames), or combinations of the two.

In other words, by using such protection position information, which is conveyed together with the main data that is to be the object of the reproduction or decoding protection, it is possible to specify one or more positions within the main data, i.e., positions at which protection is to be applied at the time of reproducing or decoding the main data.

It should thus be appreciated that the present invention, as now more explicitly recited, provides the following combination of features which are applied at the time of reproduction of main data that are conveyed by a data medium:

- (a) medium protection data which are conveyed by the data medium are detected;
- (b) protection position information (which is also conveyed by the data medium) is detected;
- (c) medium protection data (which are specific to the reproduction apparatus that is being utilized) are generated;
- (d) a protection level is defined, based on a combination of the medium

protection data and the apparatus protection data; and

(e) reproduction of the main data. is implemented, with reproduction protection (i.e., some form of limitation on reproduction of the main data) being applied in accordance with the protection level and the protection position information.

It is courteously submitted that applicant's claims thus explicitly and unambiguously recite various features which are neither anticipated nor made obvious by the previously applied prior art (Kilbel U.S.P. 5,214,556).

In accordance with the claims as amended herein, reproduction of the main data is implemented by determining a protection level (as a combination of the medium protection data and apparatus protection data), and applying reproduction protection based on that protection level and on the protection position information (which determines those parts of the main data to which the reproduction protection is actually to be applied)..

The specification thus discloses (for example in the portions from page 12, line 23 to line 10 on page 13, or from page 32, line 22 to line 15 on page 36), with reference to Figs. 8 and 9, that the reproduction protection (restrictions on video reproduction, for example) can be applied in the time domain, to units of frames (of a video signal) and can further be applied in the spatial domain, i.e., by application to one or more specific regions within a frame. For example, particular macroblocks of a video signal frame, or in each of a sequence of frames, can be subjected to reproduction protection (limitation of reproduction) by being converted to mosaic form, or subjected to some other form of blurring or blanking operation. None of these features is disclosed, suggested or even contemplated by,

or could be readily be deduced from, the Kilbel disclosure. In particular, Kilbel does not describe any form of information that corresponds to the protection position information of the present invention.

Moreover, it is submitted that the amended claims are patentably distinct from those of copending Application No. 08/940,941, and thus that reconsideration is in order of the rprovisional rejection under the judicially created doctrine of obviousness-type double-patenting.

For the above reasons, the present invention as now claimed is believed to be in order for allowance.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. In order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, the Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number if any further comments, questions or suggestions arise in connection with the application.

Respectfully submitted,
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